

AKH

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MOU SI CHEN and XIANG LAN CHEN,

Plaintiffs,

-against-

AMOR RESTAURANT GROUP INC. (d/b/a
CHINATOWN EAST), BEYOND ASIAN
RESTAURANT INC. (d/b/a CHINATOWN EAST),
YUN LIN CHEN (a/k/a KANGDI), YU ZHEN LI,
JIMMY CHEN and JESSICA CHEN,

Defendants.

Motion denied. There are issues of

material fact, as to the relations of
defendants among themselves, as to

the separateness of the corporate
defendants, and as to the roles

Case No. 12-cv-1146 (AKH) (FM) of the

individual

NOTICE OF MOTION defendants.

TO DISMISS

The motion is
premature before there is
discovery. The parties, by
counsel, shall attend an initial
Case Management Conference on
Aug. 24, 2012 at 10 AM. Doc. #8

terminated.

PLEASE TAKE NOTICE that upon the Memorandum of Law in Support of the Motion to Dismiss, dated April 20, 2012, by Defendants Amor Restaurant Group Inc. (d/b/a Chinatown East), Yun Lin Chen and Jimmy Chen (collectively, "Amor Defendants"), the Supporting Affidavit of Yun Lin Chen, sworn to on April 20, 2012, and the exhibits annexed thereto, the Supporting Affidavit of Jimmy Chen, sworn to on April 20, 2012, and upon all pleadings and prior proceedings had herein, the Amor Defendants will move this Court before the Honorable Alvin K. Hellerstein, at the United States Courthouse located at 500 Pearl Street, New York, New York 10007-1312, Courtroom 14D, for an Order pursuant to Fed. R. Civ. P. 12(b)(6), dismissing the Complaint in its entirety against the Amor Defendants and for such other and further relief that this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Rule 6.1, opposing papers, if any, shall be served within fourteen days after service of this motion.

*2/4/13
JCH*

Dated: New York, New York
April 20, 2012

Respectfully Submitted,

MOSES & SINGER LLP

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Inc. (d/b/a Chinatown East), Yun Lin Chen and
Jimmy Chen ("Amor Defendants")*

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("Beyond Asian Restaurant Defendants")*